Commission Agenda Report

Planning Commission Meeting
04-20-26
Item 3.B.7.

To: Chair Riddick and Members of the Planning Commission

Prepared by: Stacey Kinsella, Contract Planner

Reviewed by: Tyler Eaton, Assistant Community Development Director

Approved by: Yolanda Bundy, Community Development Director, MS, PE, CBO, CFCO

Date prepared: April 9, 2026 Meeting date: April 20, 2026

Subject: Extension of Coastal Development Permit No. 15-002, Variance Nos. 16-019 and 17-052, Site Plan Review No. 16-041 and Minor Modification No. 21-005 – A request for an extension of time for construction of a new two-story single-family residence and associated development

Location: 28906 Verde Mesa Lane
APN: 4467-018-031
Owner: Maron Family Trust

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 26-14 (Attachment 1) granting a two-year extension of Coastal Development Permit No. 15-002 for the construction of a new 5,913 square foot, two-story single-family residence plus a 668 square foot attached garage, swimming pool, spa, deck, hardscape, fencing, grading, retaining walls, and landscape, onsite wastewater treatment system; including Variance No. 16-019 for fuel modification encroachment into the Environmentally Sensitive Habitat Area and Environmentally Sensitive Habitat Area Buffer, Variance No.17-052 for construction on slopes steeper than 2.5 to 1, Site Plan Review No. 16-041 for height over 18 feet but not to exceed 28 feet for a pitched roof, and Minor Modification No. 21-005 for a less than 50 percent reduction to the required front yard setback in the Rural Residential, Five-Acre zoning district located at 28906 Verde Mesa Lane (Maron Family Trust).

DISCUSSION: On April 3, 2023, the Planning Commission adopted Resolution No. 23-18, approving the subject application. Pursuant to Local Coastal Program Local Implementation Plan Section 13.21, Condition of Approval No. 6 in Planning Commission

Resolution No. 23-18 states that the coastal development permit and associated requests shall expire if the project has not commenced within three years after final City action. Extension of the permit may be granted by the approving authority for due cause. The item before the Commission is an extension request by the applicant. A complete project chronology of the project, including scope of work and approvals, can be found in Planning Commission Resolution No. 23-18.

Per LCP Policy No. 5 (Coastal Development Permit Extensions), the aggregate life of a CDP shall not exceed five years absent extraordinary circumstances. A two-year extension to April 3, 2028 would be consistent with this policy. The subject coastal development permit is set to expire on April 3, 2026. On March 10, 2026, the applicant submitted an extension request to ensure a valid CDP permit remains in place while the project is under construction citing financial constraints and impacts from the Palisades Fire. The applicant's basis for due cause is included as Attachment 2.

CONCLUSION: The project conditions, and the zoning ordinance under which the approval was issued, have not significantly changed. Upon the Planning Commission's approval of the time extension request, the approval set forth in Planning Commission Resolution No. 23-18 shall remain valid for an additional two-year term. The expiration date of this approval would then be April 3, 2028. All conditions of approval in Planning Commission Resolution No. 23-18 will remain in effect.

ATTACHMENTS:

1. Planning Commission Resolution No. 26-14
2. Time Extension Request
3. LCP Policy No. 5 (CDP Extensions)
4. Public Hearing Notice

All referenced City Council and Planning Commission records are available for review at http://www.malibucity.org/onbase.

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU GRANTING A TWO-YEAR EXTENSION OF COASTAL DEVELOPMENT PERMIT NO. 15-002 FOR THE CONSTRUCTION OF A NEW 5,913 SQUARE FOOT, TWO-STORY SINGLE FAMILY RESIDENCE PLUS A 668 SQUARE FOOT ATTACHED GARAGE, SWIMMING POOL, SPA, DECK, HARDSCAPE, FENCING, GRADING, RETAINING WALLS, AND LANDSCAPE, ONSITE WASTEWATER TREATMENT SYSTEM; INCLUDING VARIANCE NO. 16-019 FOR FUEL MODIFICATION ENCROACHMENT INTO THE ENVIRONMENTALLY SENSITIVE HABIT AT AREA AND ENVIRONMENTALLY SENSITIVE HABITAT AREA BUFFER, VARIANCE NO.17-052 FOR CONSTRUCTION ON SLOPES STEEPER THAN 2.5 TO 1, SITE PLAN REVIEW NO. 16-041 FOR HEIGHT OVER 18 FEET BUT NOT TO EXCEED 28 FEET FOR A PITCHED ROOF, AND MINOR MODIFICATION NO. 21-005 FOR A LESS THAN 50 PERCENT REDUCTION TO THE REQUIRED FRONT YARD SETBACK IN THE RURAL RESIDENTIAL, FIVE-ACRE ZONING DISTRICT LOCATED AT 28906 VERDE MESA LANE (MARON FAMILY TRUST)

The Planning Commission of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On April 3, 2023, the Planning Commission adopted Planning Commission Resolution No. 23-18, approving Coastal Development Permit (CDP) No. 15-002, Variance Nos. 16-019 and 17-052, Site Plan Review No. 16-041 and Minor Modification No. 21-005, an application for construction of a new 5,913 square foot, two-story single-family residence plus a 668 square foot attached garage, swimming pool, spa, deck, hardscape, fencing, grading, retaining walls, and landscape, onsite wastewater treatment system; including variances for fuel modification encroachment into the Environmentally Sensitive Habitat Area and Environmentally Sensitive Habitat Area Buffer and for construction on slopes steeper than 2.5 to 1, a site plan review for height over 18 feet but not to exceed 28 feet for a pitched roof, and a minor modification for a less than 50 percent reduction to the required front yard setback.

B. On March 10, 2026, the applicant submitted an initial two-year time extension request citing delays due to financial constraints and impacts from the Palisades Fire.

C. On March 26, 2026, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed on March 27, 2026 to all property owners and occupants within a 500-foot radius of the subject property.

D. On April 20, 2026, the Planning Commission held a duly noticed public hearing on the request, reviewed and considered the agenda report, reviewed and considered written correspondence, public testimony, and other information in the record.

SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act

(CEQA), the Planning Commission previously determined the project to be categorically exempt pursuant to CEQA Guidelines Section 15303(a) and (d) – New Construction. As such, Categorical Exemption No. 15-008 was filed for CDP No. 15-002, and adopted with the approval of the project. The time extension is consistent and within the scope of the project analyzed in the Planning Commission's exemption and filed Notice of Exemption. The Planning Commission's action is not a separate project for CEQA purposes but is a subsequent discretionary approval related to a previously approved project – CEQA Guidelines § 15378(c). Accordingly, the Planning Commission's action is merely a step in furtherance of the project for which environmental review was performed, and no further environmental review is required

SECTION 3. Findings of Fact.

Pursuant to Local Coastal Program Local Implementation Plan Section 13.21, the Planning Commission, having considered the staff report, all written correspondence and oral testimony presented at the public hearing, hereby finds that the applicant has demonstrated due cause for the necessity of a time extension of the approval of the coastal development permit and associated requests.

SECTION 4. Planning Commission Action.

A. The approvals set forth in Planning Commission Resolution No. 23-18 are hereby extended for an additional two-year term. The approval is now set to expire on April 3, 2028.

B. No other changes to the conditions contained in Planning Commission Resolution No. 23-18 are made and all other findings, terms and/or conditions contained in Planning Commission Resolution No. 23-18 shall remain in full force and effect.

SECTION 5. The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 20th day of April, 2026.

_____
ELIZABETH RIDDICK, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary

LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms and fee schedule may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, extension 246.

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the MMC and Code of Civil Procedure. Any person wishing to challenge the above action in Superior Court may be limited to raising only those issues they or someone else raised at the public hearing, or in written correspondence delivered to the City of Malibu at or prior to the public hearing.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 26-14 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 20th day of April 2026, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
REBECCA EVANS, Recording Secretary

City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

TIME EXTENSION REQUEST

The City of Malibu will not accept incomplete applications.

Staff use only

Extension No. EXT 26-001

To submit a time extension request:

This time extension request must be timely received by the Planning Department either in person or by mail addressed to City of Malibu, Attn: Planning Department, 23825 Stuart Ranch Road, Malibu, CA 90265.

The request letter must be received **PRIOR** to the expiration date listed in the Notice of Decision or Planning Commission Resolution.

Project No.: 15-002

Site Address: 28906 Verde Mesa Lane, Malibu, CA 90265

ALL of the following must be timely filed to perfect a time extension request.

1. **Time Extension Checklist** ✓

   This form with property owner's signature

2. **Time Extension Request Letter** ✓

   A letter setting forth due cause for the Planning Director / Commission to grant the time extension.

3. **Time Extension Fee ($596)** _____

4. **Property Owner's /Occupant's Information** ✓

   Has the property owner or commercial occupant changed since the Planning Commission/ Planning Director granted the time extension? ☐ YES ☑ NO

   If **YES**, Change of Property Owner/Occupant Fee applicable.

   Property Owner's mailing Address: [redacted]

   [redacted]

   Property Owner's telephone: [redacted]

   Property Owner's email address: [redacted]

ATTACHMENT 2

Occupant's mailing Address: no occupant

Occupant's telephone: _____

Occupant's email address: _____

5. **Applicant's Information** _____

Has the application representing the owner changed since the Planning Commission's/ Planning Director's approval or since the issuance of the last extension? ☐ YES ☑ NO

If **YES**, complete the Authorization to Submit Project on page 3. If **NO**, complete pages 1-2 only.

Applicant's mailing address: _____

Applicant's telephone: _____

Applicant's email address: _____

6. **Certified Public Notice Property Owner & Occupant Mailing Address and Radius Map** _____

Not required for Administrative Plan Review approvals in which a discretionary request (e.g. site plan review) was not included.

- The addresses of the property owners and occupants within the mailing radius shall be provided on a compact disc in a Microsoft Excel spreadsheet. The spreadsheet shall have the following column headers in row one: 1) name, 2) address, 3) city, state & zip code, and 4) parcel (for APN). The owners should be listed first followed by the occupants. The project applicant's mailing address should be added at the end of the list.
- An additional column for "arbitrary number" may be included if the supplied radius map utilizes such numbers for the purpose of correlating the addressee to their map location.
- Printouts of the excel spreadsheet and radius map, certified by the preparer as being accurate, must be provided.
- The radius map (8½" x 11") shall show a 500 foot radius* from the subject property and must show a minimum of 10 developed properties. A digital copy of the map shall be submitted on the same cd as the mailing addresses.

*Properties zoned RR-10, RR-20, or RR-40 require a 1,000-foot radius notification.
**Note that updated mailing labels may be requested by the project planner prior to deeming the application complete.

Indemnification Clause

The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.

[redacted] Thomas E. Maron 2/12/2026

PROPERTY OWNER SIGNATURE | PROPERTY OWNER NAME (PRINT) | DATE

M A R O N & A S S O C I A T E S

[redacted] [redacted]
[redacted] *FAX* [redacted]
e-mail: [redacted]

TO: City of Malibu **DATE: Feb. 12, 2026**

Attn: Planning Dept. **RE: Approval Extension**

Number of pages __1__ in this communication (plus the cover page).

I am requesting an extension of the approval for the plans to build a single-family residence on Lot 5 on Verde Mesa Lane per CDP 15-002. After 13 years, we were finally able to secure Planning Department approval almost three years ago, but due to the fires in the area, market conditions and financial constraints, undertaking the project at that time became infeasible. However, we would like to move ahead and need the additional time to complete the process. Hence, it is requested that our approval be extended for at least a 2-year period.

If anyone has any questions, please don't hesitate to contact me via phone or email. Thanks in advance for your support.

Please: Proceed_X_ Call Back___ From Thomas E. Maron

City of Malibu

Planning Department

LCP Policy 5: Coastal Development Permit Extensions

LIP Section 13.21 provides:

> Unless the permit states otherwise, a coastal development permit shall expire two years from its date of approval if the development has not commenced during that time. The approving authority may grant a reasonable extension of time for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to the expiration of the two-year period.

Due cause shall generally not exist unless the applicant has demonstrated the following:

- There are extraordinary circumstances beyond the applicant's control that have prevented the applicant from commencing the development, such as financial hardship due to extreme economic conditions or job loss, inability to obtain a construction loan, personal reason, such as illness, divorce or death, restricted access to the property because of an existing lease or a necessary agency approval has not been obtained despite diligent efforts. Change of project ownership or architect and elective project redesigns do not by themselves constitute due cause; and
- The applicant has exercised due diligence in its efforts to commence the project, such as contracting for and completing necessary studies, reports, drawings and plans to pursue and complete the plan check process.

Absent extraordinary circumstances, the aggregate life of the permit shall not exceed five years.

ATTACHMENT 3

City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
www.malibucity.org

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING



NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, April 20, 2026, at 6:30 p.m**. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA for the project identified below. Public comment can be submitted ahead of the public hearing to planningcommission@malibucity.org for inclusion in the public record. To participate during the public hearing, please review the meeting agenda posted at MalibuCity.org/AgendaCenter and follow the directions for public participation.

EXTENSION OF COASTAL DEVELOPMENT PERMIT NO. 15-002, VARIANCE NOS. 16-019 AND 17-052, SITE PLAN REVIEW NO. 16-041, AND MINOR MODIFICATION NO. 21-005 - A request to extend the Planning Commission's approval for construction of a new 5,913 square foot, two-story single-family residence plus a 668 square foot attached garage, swimming pool, spa, deck, hardscape, fencing, grading, retaining walls, and landscape, onsite wastewater treatment system; including variances for fuel modification encroachment into the Environmentally Sensitive Habitat Area and Environmentally Sensitive Habitat Area Buffer and for construction on slopes steeper than 2.5 to 1, a site plan review for height over 18 feet but not to exceed 28 feet for a pitched roof, and a minor modification for a less than 50 percent reduction to the required front yard setback

LOCATION / APN / ZONING:	**28906 Verde Mesa Ln** / 4467-018-031 / Rural Residential-Five Acre (RR-5)
APPLICANT / OWNER:	Ryan Levis Architect, Inc. / Maron Family Trust
APPEALABLE TO:	City Council
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15303(a) and 15303(d)
EXTENSION FILED:	March 10, 2026
CASE PLANNER:	Stacey Kinsella, Contract Planner, skinsella@malibucity.org (510) 407-3062

Extension requests will be presented on consent calendar but any person wishing to be heard may request at the beginning of the meeting to have the application addressed separately. Please see the recording secretary before start of the meeting to have an item removed from consent calendar.

A written staff report will be available at or before the hearing for the projects. All persons wishing to address the Commission regarding these matters will be afforded an opportunity in accordance with the Commission's procedures. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours. Oral and written comments may be presented to the Planning Commission on, or before, the date of the meeting.

LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within ten days following the date of action which the appeal is made and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org/planningforms or in person at City Hall, or by calling (310) 456-2489, extension 246.

IF YOU CHALLENGE THE CITY'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, AT OR PRIOR TO THE PUBLIC HEARING.

YOLANDA BUNDY, Community Development Director — Date: March 27, 2026

ATTACHMENT 4